

Attorney Docket No.: C7755(V)
Serial No.: 10/583,678
Filed: June 19, 2006
Confirmation No.: 4499

REMARKS

Reconsideration of the application, as amended, is respectfully requested.

The claims have been amended to make clearer that the outer layer is definitely present and is not an optional ingredient that can be equated to 0%. Support for this amendment may be found at page 1, bottom paragraph of the specification and the examples of the specification.

The subject matter of claim 4 has been incorporated into claims 1 and 9. The incorporation of claim 4 into claim 1 renders the anticipation rejection and some of the obviousness rejections moot. Claims 4 and 7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Velazquez et al. (US 6,458,754 B1), and Weldes et al. (US 3,783,008), and further in view of Walley et al. (US 5,066,419).

The Examiner continues to reject the claims over Velazquez in view of Weldes and further in view of Walley. Velazquez does teach encapsulated perfume particles. Velazquez also teaches dry mixing the encapsulated perfume particles with granular detergent base. See column 10, lines 45-49 of Velazquez. The Examiner points to column 10, lines 34-40. The Examiner interprets the "desired formulation ingredients" as including perfume. But:

- Velazques uses **spray drying** to form a dry mixture of perfume particles
- Velazques uses **dry mixing** to get his dried (water soluble) encapsulates into the product.

In fact Velazques is quite clear about the order of addition:

*"In another mode, an aqueous slurry **comprising the desired formulation ingredients** is sprayed into a fluidized bed of particulate surfactants. The resulting particles can be further densified by passage through a Lodige apparatus, as noted above. The perfume*

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delivery particles are admixed with the detergent composition in the Lodige apparatus" See column 10, lines 34-39.

So, first some ingredients are mixed up in a fluid bed. This includes some "desired formulation ingredients" but there is no reason to assume that these include perfume - they are probably the "adjuncts" mentioned in the previous paragraph. Afterwards this is put into the Lodige apparatus (which is not a fluid bed) and the perfume particles are added then, by dry mixing. So there is a specific mention of the perfume particles being added at a quite different stage in the process to that cited by the Examiner.

Even if the desired formulation ingredients included perfume, applicants' claims, however, recite an outer layer of encapsulated perfume. In the same paragraph cited by the Examiner (column 10, lines 34-40), in last sentence, Velazquez teaches that the "perfume delivery particles," i.e. encapsulated perfume particles according to Velazquez, are admixed with the detergent composition. Thus, spray-drying refers to unencapsulated perfume. By contrast, in applicants' invention there is an outer layer of encapsulated perfume particles: the perfume is encapsulated then the slurry of the encapsulated perfume is sprayed on the core detergent granules.

The Examiner also pointed to claim 11 of Velazquez. Claim 11 teaches spraying a perfume on the surface of detergent composition and depends from claim 7. Claim 7 depends from claim 4. Claims 4, 7 and 11 have to be read together. When so read, claim 11 recites a composition comprising encapsulated perfume particle, other detergent ingredients, and a perfume sprayed on top of detergent composition. Claim 11 certainly does not teach a discrete outer layer of encapsulated perfume according to applicants' invention.

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Weldes teaches a coated detergent, which may include perfume as well. Weldes however does not teach a detergent particle comprising at least two layers with an outer layer of encapsulated perfume.

Walley teaches encapsulated perfume particles, but Walley does not teach producing detergent granules which contain a functional core and an outer layer of encapsulated perfume particles.

In light of the above amendments and remarks, it is respectfully requested that the obviousness rejection over Velazquez in view of Weldes and further in view of Walley be reconsidered and withdrawn.

If a telephone conversation would be of assistance in advancing the prosecution of the present application, applicants' undersigned attorney kindly requests the Examiner to telephone at the number provided.

Respectfully submitted,

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